

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

HOOTERS OF AMERICA, LLC, a Georgia limited liability company; **HOA FRANCHISING, LLC**, a Delaware limited liability company; **HOA SYSTEMS, LLC**, a Delaware limited liability company; and **HOA RESTAURANT HOLDER, LLC**, a Delaware limited liability company,

Plaintiffs,

vs.

RAISING CANE'S USA, LLC, a Louisiana limited liability company,

Defendant.

Civil Action File No. 4:15-cv-237

DEMAND FOR JURY TRIAL

AGREED MOTION TO DISMISS WITH PREJUDICE

Plaintiff Hooters of America, LLC, HOA Franchising, LLC, HOA Systems, LLC, and HOA Restaurant Holder, LLC (“Hooters”) and Defendant Raising Cane’s USA, LLC (“Raising Cane’s) have reached an agreement as to the claims made in this action, and move the Court for an order as follows:

1. This Court has personal jurisdiction over Hooters and Raising Cane’s, and subject matter jurisdiction over the subject matter of this action.
2. The claims made by Hooters against Raising Cane’s in this action are hereby dismissed with prejudice pursuant to Fed. R. Civ. P. 41.
3. Each party shall bear its own costs and attorneys’ fees.

Dated: April 27, 2015

Respectfully submitted,

/s/ Elizabeth L. DeRieux

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HOA Restaurant Holder, LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 27th day of April 2015, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by, electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Elizabeth L. DeRieux

Elizabeth L. DeRieux